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9 Attorneys for Plaintiff

10 UNITED STATES MAGISTRATE COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,	)	No. 3 05 70544
	)	
14 Plaintiff,	)	<del>PROPOSED</del> ORDER AND
	)	STIPULATION FOR CONTINUANCE
15 v.	)	FROM APRIL 20, 2006 TO MAY 25, 2006
	)	AND EXCLUDING TIME FROM THE
16 CHRISTINE CARPENTER,	)	SPEEDY TRIAL ACT CALCULATION
	)	(18 U.S.C. § 3161(h)(8)(A)) AND
17 Defendant.	)	WAIVING TIME LIMITS UNDER RULE
	)	5.1

18  
19 With the agreement of the parties, and with the consent of the defendant, the Court enters  
20 this order scheduling an arraignment or preliminary hearing date of May 25, 2006 at 9:30A.M.  
21 before the duty magistrate judge, and documenting the defendant's waiver of the preliminary  
22 hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the  
23 Speedy Trial Act, 18 U.S.C. § 3161(b), from April 20, 2006 to May 25, 2006. The parties agree,  
24 and the Court finds and holds, as follows:

- 25 1. The defendant has been released on her own recognizance.
- 26 2. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
- 27 3161(h)(8)(B)(iv) to provide continuity of counsel and reasonable time necessary for effective
- 28 preparation, taking into account the exercise of due diligence.

3. The defendant waives the time limits of Federal Rule of Criminal Procedure 5.1 for preliminary hearing.

4. Counsel for the defense believes that postponing the preliminary hearing is in his client's best interest, and that it is not in his client's interest for the United States to indict the case during the normal 20-day timeline established in Rule 5.1.

5. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, these grounds are good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1. Given these circumstances, the Court finds that the ends of justice served by excluding the period from April 20, 2006 to May 25, 2006, outweigh the best interest of the public and the defendant in a speedy trial. § 3161(h)(8)(A).

6. Accordingly, and with the consent of the defendant, the Court (1) sets a preliminary hearing date before the duty magistrate judge on May 25, 2006 at 9:30A.M., and (2) orders that the period from April 20, 2006 to May 25, 2006 be excluded from the time period for preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED:

DATED: April 19, 2006

\_\_\_\_\_/s\_\_\_\_\_  
RON TYLER  
Attorney for Defendant

DATED: April 19, 2006

\_\_\_\_\_/s\_\_\_\_\_  
ROBERT DAVID REES  
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 4/20/06

